

PROB 12C
(6/16)

Report Date: September 5, 2023

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Sep 05, 2023

Eastern District of Washington

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Larry Alphonso Anthony, II Case Number: 0980 2:20CR00180-TOR-1

Address of Offender: [REDACTED], Nespalem, Washington 99155

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: September 2, 2021

Original Offense: Theft in Indian Country, 18 U.S.C. §§ 661, 1153

Original Sentence: Prison - 122 days Type of Supervision: Supervised Release
TSR - 36 months

Asst. U.S. Attorney: Richard R. Barker Date Supervision Commenced: September 2, 2021

Defense Attorney: Federal Defenders Office Date Supervision Expires: September 1, 2024

PETITIONING THE COURT

To issue a summons.

Mr. Anthony's conditions of supervised release were reviewed with him on September 9, 2021. He signed his judgment acknowledging an understanding of his conditions.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><u>Mandatory Condition #3:</u> You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.</p> <p><u>Supporting Evidence:</u> On July 16, 2023, Mr. Anthony violated the conditions of his supervised release by using cocaine.</p> <p>Specifically, on July 21, 2023, Mr. Anthony provided a urinalysis that tested presumptive positive for cocaine. Thereafter, Mr. Anthony admitted to the undersigned and via a signed document that he last used cocaine on or about July 16, 2023.</p>
2	<p><u>Standard Condition #2:</u> After initially reporting to the probation office, you will receive instructions for the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.</p>
3	<p><u>Standard Condition #6:</u> You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.</p>

Prob12C

Re: Anthony, II, Larry Alphonso**September 5, 2023****Page 2**

Supporting Evidence: It is alleged that Mr. Anthony violated the conditions of his supervised release by failing to report to the probation office to meet with his probation officer on August 25, 2023, and by failing to be present at his residence for a scheduled home contact on August 29, 2023.

On July 21, 2023, Mr. Anthony was informed that a follow up probation appointment was scheduled for August 25, 2023, and he was provided a card with the time and date of this appointment. On August 25, 2023, Mr. Anthony failed to report to the probation officer as instructed. On August 28, 2023, Mr. Anthony sent the undersigned a text message stating he was having car trouble and would not be able to make his appointment and the undersigned subsequently contacted Mr. Anthony and reminded him the appointment was previously scheduled for August 25, 2023. Furthermore, Mr. Anthony was informed that a home contact was to occur at his residence on August 29, 2023, at approximately 12 p.m. On August 29, 2023, at approximately 12:20 p.m. the undersigned attempted to make contact with Mr. Anthony at his residence though nobody answered the door and attempts to contact him via telephone were unsuccessful. On August 30, 2023, the undersigned and Mr. Anthony exchanged text messages in which Mr. Anthony stated that he was in fact at his residence on August 29, 2023, though he was most likely sleeping and he apologized for this. Mr. Anthony was subsequently directed to report to the probation office on August 31, 2023.

4

Special Condition #3: You must undergo substance abuse evaluations and if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: It is alleged that Mr. Anthony violated the conditions of his supervised release by failing to obtain a substance abuse evaluation after being directed to do so on July 21, 2023.

On July 21, 2023, Mr. Anthony admitted to the undersigned that he last used cocaine on or about July 16, 2023. In response, the undersigned directed Mr. Anthony to obtain a substance abuse evaluation in which Mr. Anthony agreed this was in his best interest. On August 31, 2023, Mr. Anthony informed the undersigned that while he attempted to schedule a substance abuse evaluation, he ultimately failed to follow through with this task.

5

Mandatory Condition #3: You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

Supporting Evidence: On August 26, 2023, Mr. Anthony violated the conditions of his supervised release by using cocaine.

Specifically, on August 31, 2023, Mr. Anthony provided a urinalysis that tested presumptive positive for cocaine. Thereafter, Mr. Anthony admitted to the undersigned and via a signed document that he last used cocaine on or about August 26, 2023.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegation(s) contained in this petition.

Prob12C

Re: Anthony, II, Larry Alphonso

September 5, 2023

Page 3

I declare under penalty of perjury that the foregoing is true and correct.

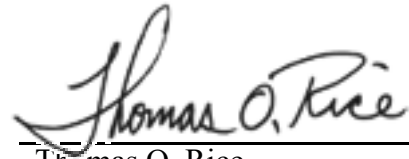
Executed on: September 5, 2023

s/Jonathan C. Bot

Jonathan C. Bot
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other



Thomas O. Rice
United States District Judge

September 5, 2023

Date